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## Telefax Transmittal

Date:

July 18, 2006

To / Company / Telefax:

Cynthia M. Kratz, Attorney Advisor / PCT Legal Office / 571.273.0459

From:

Todd E. Garabedian, Ph.D.

Telephone / Email:

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Client / matter code:

4710 /42

Please copy:

We will copy:

### Special Instructions

RE: U. S. Serial No. 10/521,973  
Attorney Docket No. 102699-102

Ms. Kratz,

Please see the attached Response to Decision on Petition, as discussed. Please contact me if you have any questions. Thank you.

12 page(s) following this page

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RECEIVED  
18 JUL 2006  
Legal Staff  
International Division

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application : Yuehui Zhou et al.  
Serial No. : 10/521,973  
Filed : January 21, 2005  
For : PHOSPHONIUM AND IMIDAZOLIUM SALTS  
AND METHODS OF THEIR PREPARATION  
Examiner :  
Attorney Docket : 102699-102  
Group Art Unit :  
Confirmation No. : 7575  
Customer No. : 27267

\* \* \* \* \*

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being delivered to the PCT Legal Office at the United States Patent and Trademark Office via facsimile to telephone number 571.273.0459 on

18 July 2006

By

Todd E. Garabedian

Todd E. Garabedian, Ph.D.

Registration No. 39,197

Attorney for Applicants

\* \* \* \* \*

RESPONSE TO DECISION ON PETITION

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

On September 15, 2005, Applicants filed a petition requesting that the US Patent and Trademark Office accept an Oath and Declaration without the signature of inventor Yuehui Zhou under 37 CFR 1.47(a), and alleged that inventor Yuehui Zhou could not be found or reached to sign the Oath and Declaration.

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U.S. Ser. No. 10/521,973

In the Decision on Petition issued by the USPTO on March 28, 2006, Applicants' petition was dismissed without prejudice because the proof that the non-signing joint inventor refused to sign the application or cannot be reached was not provided by a person having firsthand knowledge.

In response to the Decision on Petition, Applicants submit that inventor Yuehui Zhou has now been located and has executed an Oath and Declaration. Applicants submit herewith an Oath and Declaration signed by inventor Yuehui Zhou, along with a copy of the Oath and Declaration previously signed by joint inventors Allan J. Robertson, John H. Hillhouse, and Douglas Baumann. Applicants also include herewith a copy of the Notice to File Missing Parts originally mailed July 11, 2005.

In view of the fact that all the inventors have now signed an Oath and Declaration for the above-identified patent application, Applicants respectfully request that the petition be dismissed and that the application be permitted to proceed to examination.

U.S. Ser. No. 10/521,973

Any fees associated with this Correspondence may be charged to Deposit Account No. 03-4083.

The undersigned attorney submits that he is filing this petition under 37 C.F.R. §1.34 in a representative capacity. The undersigned attorney's name, registration number, and signature appear below.

Respectfully submitted,

YUEHUI ZHOU ET AL.

By

Todd E. Garabedian  
Todd E. Garabedian, Ph.D.  
Registration No. 39,197  
Attorney for Applicants

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Date:

18 July 2006

V4710\1\53402.1



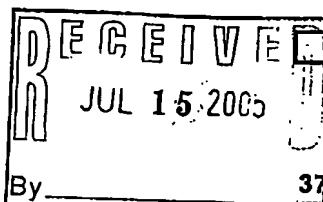
## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/521,973	FIRST NAMED APPLICANT Yuehui Zhou	ATTY. DOCKET NO. 102699-102
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INTERNATIONAL APPLICATION NO. PCT/CA03/01189
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27267  
WIGGIN AND DANA LLP  
ATTENTION: PATENT DOCKETING  
ONE CENTURY TOWER, P.O. BOX 1832  
NEW HAVEN, CT 06508-1832



LA. FILING DATE 08/08/2003	PRIORITY DATE 08/16/2002
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CONFIRMATION NO. 7575  
371 FORMALITIES LETTER



\*OC000000016393664\*

*Missing Requirement Due - 9-11-05*

Date Mailed: 07/11/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/21/2005
- Copy of the International Search Report filed on 01/21/2005
- Copy of IPE Report filed on 01/21/2005
- Information Disclosure Statements filed on 01/21/2005
- Oath or Declaration filed on 01/21/2005
- Request for Immediate Examination filed on 01/21/2005
- U.S. Basic National Fees filed on 01/21/2005
- Priority Documents filed on 01/21/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

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ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

INDIA L EVANS

Telephone: (703) 308-9140 EXT 212

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/521,973	PCT/CA03/01189	102699-102

FORM PCT/DO/EO/905 (371 Formalities Notice)

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